

EU-CHINA DIALOGUE ON INTELLECTUAL PROPERTY

On 30 October 2003 both sides reached agreement on a structured dialogue of which objective, content, structure as well as frequency and participation are laid down herewith :

DG Trade and the Ministry of Commerce agree to set up a structured EU-China dialogue on intellectual property rights where all-encompassing issues, bilateral and multilateral, related to the protection and the enforcement of intellectual property can be discussed.

The dialogue is structured into horizontal and sectoral items, addressing respectively the following issues:

1. **Horizontal discussions** covering all IP sectors, between the Ministry of Commerce which is coordinator from the Chinese side and DG Trade which is the coordinator from the EU side, will cover inter alia the following issues:
 - a) *Institutional issues*: exchange of experiences in EU and China on IPR enforcement, co-ordination with sub-central levels, inter-agency co-ordination, institutional reform, human and financial resources, etc.;
 - b) *Horizontal legislative issues*: exchange of experiences in EU and China on legislative progress;
 - c) *Horizontal enforcement issues*: exchange of experiences in EU and China on central and sub-central enforcement by customs, police, administrative and judiciary bodies. Co-ordination with other countries on exports of counterfeit goods.
 - d) Public awareness of consumers and right-holders.

2. **Sectoral discussions** on each individual IP sector.

The precise agenda of each session will be decided by joint agreement between the parties.

It is understood that the co-ordinator on each side will call upon all relevant IPR-related agencies to participate in the discussions, both horizontal and sectorial.

The dialogue will consist of one-day sessions at least once a year with the venue alternating between Brussels and Beijing. DG Trade and MOFCOM will co-ordinate the dialogue. The precise composition of each delegation will be decided by each party in consultation with the other one. The dialogue will report progress at the Economic and Trade Working Group (ETWG).

Pascal Lamy, Commissioner for Trade

DG Trade of European Commission

Lu Fuyuan, Minister

(p.o. Wei Jianguo, Vice Minister)

Ministry of Commerce